

EXHIBIT 18

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA, :
et al., :
Plaintiffs :
v. : No. 1:23-cv-00108

GOOGLE, LLC, :
Defendants. :

Tuesday, August 15, 2023

Video Deposition of ALLEN OWENS,

taken at the Law Offices of Paul, Weiss, Rifkind,
Wharton & Garrison LLP, 2001 K St NW, Washington,
DC, beginning at 9:37 a.m. Eastern Standard Time,
before Ryan K. Black, Registered Professional
Reporter, Certified Livenote Reporter and Notary
Public in and for the District of Columbia

Job No. CS6037511

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A P P E A R A N C E S:

UNITED STATES DEPARTMENT OF JUSTICE
ANTITRUST DIVISION

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CHASE PRITCHETT, ESQ.
ALVIN CHU, ESQ.
MARK SOSNOWSKY, ESQ. - Via Zoom
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THE VIDEOGRAPHER: Good morning. We're
going on the record at 9:37 a.m. on August 15th,
2023. Please note that the microphones are
sensitive and may pick up whispering and private
conversations. Please mute your phones at this
time. Audio and video recording will continue to
take place unless all parties agree to go
off the record.

This is Media Unit 1 of the
video-recorded deposition of Mr. Allen Owens
in the matter of United States, et al., versus
Google LLC, filed in the United States District
Court, Eastern District of Virginia, Alexandria
Division. Case Number 1:23-cv-00108-LMB-JFA.

My name is Orson Braithwaite,
representing Veritext Legal Solutions, and I'm
the videographer. The court reporter is Ryan
Black from the firm Veritext Legal Solutions.

Counsel will now state their appearances
and affiliations for the record.

MS. GOODMAN: Martha Goodman of the law
firm Paul Weiss on behalf of Google LLC, and I'm
joined by my colleague Leah Hibbler.

MR. MCBIRNEY: Jim McBirney on behalf of
the Department of Justice on behalf of the United

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1 certain of was Mr. Chase.

2 Q. Okay. Any others?

3 A. No. I -- I can't recall any others.

4 Q. Were there any lawyers from the Navy
5 involved in these communications?

6 A. I don't recall.

7 Q. Do you recall speaking with anybody
8 within the Navy Recruiting Command who are your
9 subordinates about this lawsuit?

10 A. Yes.

11 Q. Who?

12 A. Ms. Dean Stewart-Curry, my director of
13 resources.

14 Q. Anyone else?

15 A. No.

16 Q. How about Adelina Lozzi, did you speak
17 with her about this lawsuit?

18 A. Yeah. She's not one of my employees,
19 but, yes.

20 Q. So whether they're your subordinate or
21 not, we've talked about the individuals in your
22 chain of command, Ms. Stewart-Curry and
23 Ms. Lozzi. Is there anybody else at the Navy
24 Recruiting Command that you've spoken with about
25 this lawsuit?

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1 A. Not that I recall.

2 Q. And what did you and Ms. Stewart-Curry
3 discuss about this lawsuit?

4 A. Responses to DOJ inquiries for
5 information.

6 Q. Okay. And when did you have these
7 discussions with Ms. Stewart-Curry?

8 A. At various times.

9 Q. What's your best recollection of such
10 various times that you had these discussions with
11 Ms. Stewart-Curry?

12 A. Throughout earlier this year.

13 Q. Any conversations with her about this
14 lawsuit prior to February of 2023 that you
15 recall?

16 MR. MCBIRNEY: Objection; foundation.

17 THE WITNESS: Not that I recall. I

18 -- I'm -- just earlier this year. I don't recall
19 specific dates.

20 BY MS. GOODMAN:

21 Q. Okay. And same questions with respect
22 to Ms. Lozzi. When do you -- when did you have
23 conversations with her about this lawsuit?

24 A. I don't recall specific dates. Earlier
25 this year.

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1 Q. Okay. What did you and Ms. Lozzi
2 discuss about this lawsuit?

3 MR. MCBIRNEY: Caution the witness not
4 to disclose communications with counsel or
5 directions relayed from counsel. If you could
6 answer the question without disclosing those
7 communications, you can answer. Otherwise, I
8 instruct you not to answer.

9 BY MS. GOODMAN:

10 Q. Can you answer the question?

11 A. I cannot. I will follow counsel's
12 direction.

13 Q. So every conversation you've had with
14 Ms. Lozzi in connection with this lawsuit are --
15 were in the presence of an attorney or at the
16 direction of counsel. Is that your testimony?

17 A. I don't know.

18 Q. Okay. Do you recall any conversation
19 sitting here today that did not involve an
20 attorney or that were not at the direction of
21 counsel with Ms. Lozzi?

22 A. Sitting here today, I -- I cannot recall
23 any that would have been outside of the direction
24 of counsel.

25 Q. Okay. Did you tell Ms. Lozzi you were

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1 being deposed?

2 A. I don't recall.

3 Q. Did you tell Ms. Stewart-Curry that you
4 were being deposed?

5 A. Yes.

6 Q. Okay. So this is another individual
7 with whom you've discussed your deposition; is
8 that correct?

9 MR. MCBIRNEY: Objection; argumentative.

10 THE WITNESS: The discussions that I had
11 with Ms. Stewart-Curry were gathering responses
12 to my counsel. So I believe that the content
13 that -- with what we would have discussed would
14 have been privileged.

15 BY MS. GOODMAN:

16 Q. Okay. But with respect to the
17 individuals that you spoke about your deposition
18 with, Ms. Lozzi is one such individual, correct?

19 A. I -- I can't recall.

20 Q. Okay. So we've talked about two
21 individuals at the ad agency, individuals
22 within your chain of command, your subordinate
23 Ms. Stewart-Curry and another individual, Ms.
24 Lozzi at the Navy Recruiting Command, with whom
25 you've had conversations about this lawsuit. Is

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1 that a fair summary of what you've testified to
2 so far?

3 MR. MCBIRNEY: Object to the form of the
4 question.

5 THE WITNESS: I've testified that I have
6 had discussions with my chain of command. I've
7 had discussions with Ms. Stewart-Curry. I've had
8 conversations with Ms. Lozzi, although I don't
9 recall the specifics of those conversations and
10 whether or not they was -- they were related to
11 the deposition. And that's my testimony.

12 BY MS. GOODMAN:

13 Q. And your testimony also includes your
14 conversations with individuals at the ad agency;
15 is that correct?

16 MR. MCBIRNEY: Object to the form of the
17 question.

18 THE WITNESS: My testimony is I
19 had conversations with Ms. Sandra Mouio and
20 Mr. Edmondson.

21 BY MS. GOODMAN:

22 Q. About this lawsuit, correct?

23 A. Yes.

24 Q. Okay. And with respect to all of the
25 individuals that we've gone over today, are there

1 any other individuals with whom you have spoken
2 about this lawsuit?

3 A. Not that I recall.

4 Q. With respect to all of the individuals
5 we've gone over so far today, at what point in
6 time did you first have a conversation about this
7 lawsuit with any of them, to the best of your
8 recollection?

9 A. Earlier this year, to the best of my
10 recollection. I don't recall a specific date.

11 Q. Okay. Do you have any reason to believe
12 you had any conversations about this lawsuit with
13 any of the individuals we've discussed here today
14 prior to February of 2023?

15 MR. MCBIRNEY: Objection; foundation,
16 and to form.

17 THE WITNESS: As I stated earlier, I
18 don't recall the earliest conversations that I
19 had about this lawsuit. I -- I don't recall
20 specific dates.

21 BY MS. GOODMAN:

22 Q. Okay. Do you recall any conversation
23 about this lawsuit with any of the individuals
24 that we've discussed here today taking place in
25 2022?

1 MR. MCBIRNEY: Objection. Asked and
2 answered. Foundation.

3 THE WITNESS: And as I stated earlier,
4 I don't recall the earliest dates of having
5 conversations about the lawsuit.

6 BY MS. GOODMAN:

7 Q. Well, your testimony was that you
8 recalled having conversations earlier this year,
9 meaning 2023, correct?

10 A. Correct.

11 Q. Okay. So earl -- other than earlier
12 this year, can you pinpoint in time your first
13 conversations with anybody in connection with
14 this lawsuit?

15 MR. MCBIRNEY: Objection. Asked and
16 answered. Foundation.

17 THE WITNESS: As I stated earlier,
18 I cannot recall the earliest dates, other than
19 sometime earlier this year of 2023, of where I
20 had conversations about this lawsuit.

21 BY MS. GOODMAN:

22 Q. Okay. What is your understanding of
23 what this lawsuit is about?

24 MR. MCBIRNEY: Instruct the witness not
25 to disclose communications with counsel. If you

1 can answer that question without disclosing
2 privileged communications, you can answer.
3 Otherwise, I instruct you not to answer.

4 THE WITNESS: My only knowledge is via
5 privileged communications with counsel and I have
6 no knowledge outside of that.

7 BY MS. GOODMAN:

8 Q. Did you read the complaint filed in this
9 matter?

10 A. I did not.

11 Q. Why not?

12 MR. MCBIRNEY: Object to form.

13 THE WITNESS: I --

14 MS. GOODMAN: What's the form objection?

15 MR. MCBIRNEY: Vague.

16 MS. GOODMAN: Okay.

17 BY MS. GOODMAN:

18 Q. Why didn't you read the complaint filed
19 in this lawsuit?

20 A. I don't have a reason for not reading
21 it. I just didn't seek it out.

22 Q. Do you have any interest, sitting here
23 today, in reading the complaint filed in this
24 lawsuit?

25 A. No.

Q. Why not?

MR. MCBIRNEY: Objection; vague.

THE WITNESS: Can you be more specific with the question?

BY MS. GOODMAN:

Q. Why do you not have any interest, sitting here today, in reading the complaint filed in this lawsuit?

MR. MCBIRNEY: Same objection.

THE WITNESS: I just don't.

BY MS. GOODMAN:

Q. Is it important to you what the complaint says?

A. It won't -- it won't affect my truthful testimony, so, no.

Q. Okay. For purposes of the work you do for the Navy Recruiting Command, is it important for you to understand what the complaint says?

MR. MCBIRNEY: Objection; foundation.

THE WITNESS: I don't think -- well, can -- can you rephrase that question? I'm not sure I understand.

BY MS. GOODMAN:

Q. For the purposes of the work you do at Navy Recruiting Command, is it important for you

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to understand what the complaint says?

MR. MCBIRNEY: Same objection.

THE WITNESS: No.

BY MS. GOODMAN:

Q. Okay. For the purposes of the work you do at Navy Recruiting Command, is it important for you to understand what this lawsuit is about?

MR. MCBIRNEY: Objection; foundation.

THE WITNESS: No.

BY MS. GOODMAN:

Q. Why is it not important for you to understand what the complaint says for the purposes of the work you do at the Navy Recruiting Command?

MR. MCBIRNEY: Objection; foundation.

THE WITNESS: I don't believe it has an impact on my work.

BY MS. GOODMAN:

Q. And why is it not important for you to understand what this lawsuit is about for the purposes of the work you do at Navy Recruiting Command?

MR. MCBIRNEY: Objection; foundation.

THE WITNESS: Is that -- is that the same question you just asked? I apologize. Can

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you rephrase that? I understand it to be the same the questions question you just asked.

BY MS. GOODMAN:

Q. Sure. My first question was what the complaint says, and my next question is why is it not important for you to understand what this lawsuit is about for the purposes of your work at Navy Recruiting Command.

MR. MCBIRNEY: Same objection.

THE WITNESS: I don't believe it would impact my work.

BY MS. GOODMAN:

Q. And why do you think that understanding what the complaint says or would what this lawsuit is about would not impact your work?

MR. MCBIRNEY: Objection; foundation.

And asked and answered.

THE WITNESS: I just don't believe it would impact my work.

BY MS. GOODMAN:

Q. And my question is why wouldn't it impact your work?

MR. MCBIRNEY: Same objections.

THE WITNESS: It would not change how I operate.

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BY MS. GOODMAN:

Q. Okay. And so am I correct -- is it your testimony that your only understanding of what this lawsuit is about comes from conversations with lawyers? Is that accurate?

A. That is accurate.

Q. Okay. And, to your knowledge, what is the role of the Navy in this lawsuit?

A. To my knowledge, the role of Navy is that we purchase media, some of which from Google.

Q. And what is the significance of the media that the Navy purchases, some of which is from Google, to this lawsuit?

MR. MCBIRNEY: Objection; foundation. And to the extent it calls for privileged information, I'd instruct you not to answer. If you can answer without disclosing privileged information, you can answer the question.

THE WITNESS: Yeah. I cannot answer that question without disclosing privileged information.

BY MS. GOODMAN:

Q. And so we've talked about the Navy's role in this lawsuit. What is your role in this

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lawsuit?

MR. MCBIRNEY: Objection; vague.

THE WITNESS: Yeah. Can you be more specific?

BY MS. GOODMAN:

Q. Why are you participating in this lawsuit?

MR. MCBIRNEY: Objection. Assumes facts not in evidence, and vague.

THE WITNESS: Yeah. I'm here at the -- the request of my counsel to be here to give this deposition.

BY MS. GOODMAN:

Q. Had counsel not requested your participation, would you seek to participate in this lawsuit?

MR. MCBIRNEY: Objection. Calls for speculation.

THE WITNESS: Can -- can you be more specific with that question?

BY MS. GOODMAN:

Q. Is the only reason you're participating in this lawsuit because counsel requested your participation?

A. I'm participating in this -- in this

lawsuit because of my role with the Navy and that I've been requested to be here.

Q. Okay. So other than your role with the Navy and that you've been requested to be here, is there any other reason you're participating in this lawsuit?

MR. MCBIRNEY: Object to the form of the question.

THE WITNESS: There's no other reason that I'm here.

BY MS. GOODMAN:

Q. When, to your knowledge -- strike that.

How did you learn about this lawsuit?

A. I believe it was via email.

Q. From who?

A. I don't recall.

Q. Do you recall what agency sent you an email about this lawsuit? Was it within the Navy? Was it DOJ? Was it somewhere -- was it the ad agency?

A. No. It -- it was from -- it was from a government source. I don't recall if it was DOJ or my chain of command. I -- I -- I don't recall.

Q. Okay. And approximately when did you

receive this email from which you learned about this lawsuit?

A. I don't recall the exact date.

Q. How about approximately?

A. I believe it was earlier this year, --

Q. Okay.

A. -- but I don't recall an exact date.

Q. Other than earlier this year, can you pinpoint in time, more specifically, when you learned about this lawsuit from an email?

A. I cannot.

Q. Do you know who made the decision for the Navy to participate in this lawsuit?

A. I do not.

Q. Based on your knowledge and understanding of the organizational structure of the Navy, what is your best understanding of who would need to be involved in making a decision about the Navy's participation in this lawsuit?

MR. MCBIRNEY: Objection; foundation. Calls for speculation.

THE WITNESS: I have no idea who would need to make that decision.

BY MS. GOODMAN:

Q. When you first learned about this

lawsuit from an email, were you asked to participate in the lawsuit --

MR. MCBIRNEY: Objection; foundation.

BY MS. GOODMAN:

Q. -- at that time?

A. I don't recall the contents of the email and what it -- what it said or asked of me.

Q. When you received an email about this lawsuit, you said it was from a government source, correct?

A. I believe so.

Q. Okay. To the best of your recollection, was it from an attorney?

A. Ma'am, I don't recall who sent the email.

Q. What was your reaction upon receiving this email?

MR. MCBIRNEY: Objection; foundation.

THE WITNESS: Yeah. I -- I don't recall.

BY MS. GOODMAN:

Q. Prior to learning of this lawsuit, sometime in early 2023, have you been aware of any investigation by the Department of Justice into Google's digital advertising businesses?

1 A. I was not aware.

2 Q. So is it accurate to say that the first
3 time you became aware of any DOJ investigation
4 into Google's digital advertising business was
5 upon learning of this lawsuit?

6 A. The first time I had any knowledge into
7 that was receiving the email notifying me of the
8 lawsuit.

9 Q. And that was sometime in 2023, correct?

10 A. I don't recall the exact date, but I
11 believe it to be earlier this year in 2023.

12 Q. Okay. And so prior to learning of this
13 lawsuit in 2020 -- 20 -- 2023, had you received
14 any outreach from the Department of Justice
15 inquiring about the Navy's digital advertising
16 purchases?

17 A. Not that I recall.

18 Q. How about -- have you had any
19 conversations with anybody at any state attorney
20 generals offices about this lawsuit?

21 A. No.

22 Q. Do you understand that other states are
23 participating in this lawsuit?

24 A. I don't understand what states are
25 participating in the lawsuit.

1 Q. Okay. And so prior to the com --
2 the learning of this lawsuit, had you had any
3 discussions with any individuals from state
4 attorney generals' offices about Google's digital
5 advertising businesses?

6 A. Can you ask that question again? I'm
7 sorry.

8 Q. Prior to learning of this lawsuit, did
9 you have any conversations with any individual
10 representing a state attorney general about
11 Google's digital advertising businesses?

12 A. No.

13 Q. Okay. What's your title?

14 A. Director of marketing, Navy Recruiting
15 Command.

16 Q. How long have you had that title?

17 A. Since February of 2021.

18 Q. So your LinkedIn page says that your
19 title is chief marketing officer. Is that
20 accurate?

21 A. Yes. That's one and the same.

22 Q. So director of marketing for Navy
23 Recruiting Command is the same thing as the chief
24 marketing officer. Is that your testimony?

25 A. Yes.

1 Q. Okay. Prior to February 2021, what was
2 your title?

3 A. Deputy director of marketing.

4 Q. And how long did you have the job of
5 deputy director of marketing?

6 A. Since March of 2020.

7 Q. And prior to March of 2020, what was
8 your title?

9 A. Prior to March of 2020, I was retired.

10 Q. For how long were you retired prior to
11 March of 2020?

12 A. Approximately eight months.

13 Q. And so -- so sometime in the summer of
14 the 2019 you retired. Is that accurate?

15 A. Yes. That -- that's accurate.

16 Q. Okay. And from what did you retire in
17 the summer of 2020 -- 2019?

18 A. From the Navy.

19 Q. Okay. How long were you in the Navy?

20 A. Approximately 21 years.

21 Q. I speak a bit as a layperson when I say
22 "in the Navy," but what's the difference between
23 being in the Navy, as I've just used that term,
24 and your job now at the Navy? Can you help me
25 understand that?

1 A. Sure. In general terms, if someone says
2 they're "in the Navy," they're wearing a uniform.
3 They're a service member, active duty or
4 reserves.

5 Q. And so you retired from being a service
6 member or active duty or in the reserves sometime
7 in the summer of 2019?

8 A. Yes.

9 Q. Okay. How did you come to work as the
10 deputy director of marketing for the Navy
11 Recruiting Command?

12 A. I applied for a GS federal job that was
13 open for the deputy director and was hired.

14 Q. Okay. Prior to serving as -- or prior
15 to taking on the role of deputy director of
16 marketing, did you have experience -- work
17 experience in advertising or in marketing?

18 A. Prior to -- can -- can you repeat that
19 question?

20 Q. Prior to serving as the deputy director
21 of marketing, what, if any, work experience did
22 you have in advertising or marketing?

23 A. I worked in the N9 Department,
24 the marketing and advertising department, from
25 approximately August of '15 to the summer of '19.

1 Q. And what -- that was while you were
2 -- were you active duty during that time or
3 reserve, or what was your status at that time?

4 A. Active duty.

5 Q. Okay. So when you worked in the N9
6 Department, what was your job?

7 A. I was the marketing operations officer.

8 Q. What did your job duties entail as the
9 marketing operations officer?

10 A. It was -- the job generally entailed
11 ensuring that filming productions were completed
12 on time, creative work was completed on time.
13 Generally, executing the marketing operations.

14 Q. Did your job duties entail purchasing
15 digital media?

16 A. No.

17 Q. Okay. Did it involve purchasing any
18 media when you were the marketing operations
19 officer?

20 A. No.

21 Q. And prior to serving as the marketing
22 operations officer, did you have any work
23 experience in advertising or marketing?

24 A. No.

25 Q. Okay. So let's go to your role as

1 deputy director of marketing. What were your job
2 duties in that role?

3 A. The job duties were to assist the
4 director to manage the staff, and to be the
5 contracting officer representative, the COR.

6 Q. For what contract were you the COR when
7 you served as deputy director of marketing?

8 A. The marketing and advertising contract
9 with VMLY&R.

10 Q. Did you receive any training or
11 certifications in order to serve as a COR?

12 A. Yes.

13 Q. What training or certification did you
14 receive in order to serve as a COR?

15 A. I don't recall the exact course name.
16 I believe it was CLC 222. But there's a COR
17 training that -- that's mandated, and I believe
18 that was it.

19 Q. When did you take that training, to the
20 best of your recollection?

21 A. It would have been in the March of
22 -- the March of 2020 time frame, to the best of
23 my recollection.

24 Q. Who offers that CLC 222 training?

25 A. My understanding it's offered by Defense

1 Acquisition University, DAU.

2 Q. What is Defense Acquisition University?

3 A. It's an online -- and sometimes
4 in-person -- training that -- for Department of
5 Defense jobs and specialties.

6 Q. When you were deputy director of
7 marketing, to whom did you report?

8 A. To the director of marketing.

9 Q. What is that individual's name?

10 A. Captain Matt Boren, B-o-r-e-n.

11 Q. Is Captain Boren still employed with the
12 Navy Recruiting Command?

13 A. No.

14 Q. Did he retire?

15 A. Yes.

16 Q. And was it his retirement that led
17 to your being -- serving as the director of
18 marketing for Navy Recruiting Command?

19 A. No.

20 Q. Okay. How did you get the job of
21 director of marketing for the Navy Recruiting
22 Command?

23 A. In February of 2021, Captain Boren was
24 moved to be -- moved jobs to be the chief of
25 staff, and the Admiral at the time moved me into

1 the director job at that time.

2 Q. Okay. And now as the director of
3 marketing, do you report to the chief of staff?

4 A. I report to the Admiral.

5 Q. For how long have you reported to the
6 Admiral -- Admiral in your role as director of
7 marketing?

8 A. Since February of 2021.

9 Q. Okay. So the entire time you've been
10 director of marketing, you've reported to the
11 Admiral; is that correct?

12 A. Yes.

13 Q. Okay. Earlier you mentioned an
14 executive director, Dr. Sullivan. What is his
15 job?

16 A. He is the senior civilian at that
17 command, and the -- the Admiral's assistant.

18 Q. Do you have an -- an informal reporting
19 relationship to Dr. Sullivan?

20 A. I -- I wouldn't say -- I wouldn't
21 characterize it informal.

22 Q. How would you characterize it?

23 A. Formal.

24 Q. Okay. So other than to the Admiral, do
25 you report to anybody in your role as director of

1 may be an occasion where I might have, but not to
2 my recollection.

3 BY MS. GOODMAN:

4 Q. So it is possible that you've deleted
5 documents in 2023 related to work, correct?

6 MR. MCBIRNEY: Object to the form of the
7 question.

8 THE WITNESS: There's a possibility.

9 BY MS. GOODMAN:

10 Q. Okay. Under Navy's -- are you aware of
11 any document retention policies at the Navy?

12 A. Yes.

13 Q. And what do those policies provide?

14 A. Sitting here today, I don't recall the
15 exact stipulations in those policies.

16 Q. How about generally? What do you recall
17 as to what those document retention policies
18 state?

19 A. Sitting here today, I -- I don't recall.

20 Q. Okay. To your knowledge, do the
21 document retention policies permit you to delete
22 files?

23 MR. MCBIRNEY: Objection; vague.

24 THE WITNESS: Yeah. Sitting here today,
25 I don't recall the stipulations of that policy.

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1 BY MS. GOODMAN:

2 Q. And thus you don't recall whether they
3 permit you to delete files, correct?

4 MR. MCBIRNEY: Objection. Asked and
5 answered.

6 THE WITNESS: Yeah. My testimony is,
7 sitting here today, I do not recall the exact
8 stipulations of that policy.

9 BY MS. GOODMAN:

10 Q. And, therefore, correct, you don't
11 recall whether those policies permit you to
12 delete files?

13 MR. MCBIRNEY: Objection.

14 BY MS. GOODMAN:

15 Q. Is that accurate?

16 MR. MCBIRNEY: Objection. Asked and
17 answered.

18 THE WITNESS: Yeah. So my testimony is,
19 sitting here today, I do not recall the exact
20 stipulations of that policy.

21 BY MS. GOODMAN:

22 Q. Okay. And so you can't answer whether,
23 as a result of your inability to recall the exact
24 stipulations of this -- of the policy, you cannot
25 an -- you don't recall whether or not that policy

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1 permits you to delete files. Is that accurate?

2 MR. MCBIRNEY: Objection. Asked and
3 answered.

4 THE WITNESS: So it's my testimony that,
5 sitting here today, I don't recall the specific
6 stipulations of that policy.

7 BY MS. GOODMAN:

8 Q. Okay. And, therefore, you can't testify
9 one way or another to what that policy says with
10 respect to the deletion of files, correct?

11 MR. MCBIRNEY: Objection. Asked and
12 answered.

13 THE WITNESS: Yeah. Those were not my
14 words. I said, sitting here today, I don't
15 remember the exact stipulations of the policy.

16 BY MS. GOODMAN:

17 Q. Other than a lawyer, has anybody told
18 you anything about preserving documents with
19 respect to this litigation?

20 THE WITNESS: I'm not sure of the
21 communications I received, whether those would be
22 privileged or not.

23 MR. MCBIRNEY: If you received
24 communications regarding preserving documents
25 that were either from a lawyer or at the

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1 direction of a lawyer, that's privileged and I'd
2 instruct you not to answer. If you received
3 communications about preserving documents that do
4 not fall into those categories and you are
5 confident that they do not come from counsel, you
6 can answer.

7 THE WITNESS: Yeah. Then I cannot
8 answer the question without revealing privileged
9 conversations.

10 BY MS. GOODMAN:

11 Q. And for the record -- and this is a yes
12 or no question -- have you received any direction
13 from anybody with respect to preserving documents
14 related to this litigation?

15 MR. MCBIRNEY: You can answer that yes
16 or no.

17 THE WITNESS: Yes.

18 BY MS. GOODMAN:

19 Q. When did you receive such direction?

20 A. I don't recall the exact time frame.
21 Earlier this year in 2023.

22 Q. Was it before or after you learned about
23 this lawsuit?

24 A. I don't recall.

25 Q. Prior to this lawsuit, have you ever

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1 requested legal advice from the Department of
2 Justice Antitrust Division?

3 A. No.

4 Q. Prior to learning about this lawsuit,
5 have you ever requested legal advice from the
6 Department of Justice Antitrust Division?

7 A. No.

8 Q. Since receiving instructions with
9 respect to preserving documents related to this
10 litigation, have you deleted any documents on any
11 of your devices?

12 A. Not to my knowledge.

13 Q. So you've testified that VMLY&R is the
14 ad agency for the Navy; is that correct?

15 A. That is correct.

16 Q. And they have been the ad agency for the
17 Navy since, approximately, 2016. Is that
18 accurate?

19 A. They have been the ad agency since
20 approximately 2016, yes.

21 Q. Okay. And their contract with the Navy
22 was renewed or reentered into in 2021. Is that
23 accurate?

24 A. Yes, it was renewed in 2021.

25 Q. Okay. Other than the VMLY&R, is there

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1 any other agency -- ad agency engaged by the
2 Naval -- Navy Recruiting Command related to
3 advertising?

4 MR. MCBIRNEY: Objection; foundation.

5 THE WITNESS: Our contract is with
6 VMLY&R. It's my understanding they have other
7 businesses and agencies that work with them. But
8 our contract is with VMLY&R.

9 BY MS. GOODMAN:

10 Q. And are you aware of any contract
11 between the Navy and any other ad agency related
12 to advertising?

13 A. No.

14 Q. Were you involved in the selection of
15 VMLY&R when their contract was renewed in 2021?

16 THE WITNESS: Am I allowed to discuss
17 contractual selection items?

18 MR. MCBIRNEY: You can answer that
19 question yes or no and we'll go from there.

20 THE WITNESS: Okay. Can you ask that
21 question again?

22 BY MS. GOODMAN:

23 Q. Were you involved in the selection of
24 VMLY&R when their contract was renewed in 2021?

25 A. Yes.

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1 Q. What was your involvement?

2 A. I was on the panel of folks reviewing
3 the non-price proposals from all vendors.

4 Q. And when you say "reviewing the
5 non-price proposals," what do you mean by that?

6 A. So to review -- so when a contract is
7 renewed, multiple businesses can apply for that
8 contract, and non-price proposals are part of
9 that bidding process. And then a board of people
10 will look at that and review those, and I was on
11 that panel.

12 Q. What are the kinds of non-price
13 proposals that are put forward as part of that
14 bid -- bidding process?

15 MR. MCBIRNEY: Object to the form of the
16 question.

17 THE WITNESS: You'd have to be more
18 specific. I'm sorry.

19 BY MS. GOODMAN:

20 Q. Well, what do you mean by non-price
21 proposals? What do those entail?

22 A. Those are proposals of how the vendor or
23 the business would satisfy the requirements given
24 in the work statement in the RFQ.

25 Q. And so specifically with respect to

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1 selecting an advertising agency, what are the
2 things that you looked for in the non-price
3 proposals that mattered to you in selecting a
4 business to contract with?

5 A. Sure. I don't recall the specific
6 criteria. That was a few years ago.

7 Q. How about generally? What do you
8 recall what mattered to you in terms of non-price
9 proposals when selecting an ad agency?

10 A. In general, that they demonstrated in
11 their write-up a thorough understanding of the
12 requirement and ability to meet the requirement.

13 Q. And what was the requirement that the
14 Navy put forward with respect to finding a
15 contractor related to advertising?

16 A. Sure. It was a -- a work statement that
17 was issued -- multi-page work statement.

18 Q. What are the kinds of things that the
19 Navy wanted from an advertiser?

20 MR. MCBIRNEY: Objection; vague.

21 THE WITNESS: Yeah. Sitting here today,
22 I -- I don't recall the specifics contained in
23 that work statement, --

24 BY MS. GOODMAN:

25 Q. How about generally?

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1 A. I -- sitting here today, I do not know
2 who makes that realtime optimization.

3 Q. Okay. Do you know, not their name, but
4 the company for which they work?

5 MR. MCBIRNEY: Objection; vague.

6 THE WITNESS: Yeah. I -- sitting here
7 today, I can't be certain if it would be VMLY&R
8 or Wavemaker.

9 BY MS. GOODMAN:

10 Q. Okay. And could it be somebody at the
11 Trade Desk making those realtime optimization
12 decisions?

13 MR. MCBIRNEY: Objection; foundation.

14 THE WITNESS: Sitting here today, I
15 don't know.

16 BY MS. GOODMAN:

17 Q. Okay. Let's go back to that spreadsheet
18 attached to Exhibit 58. I just have one question
19 at the end of it.

20 A. Sure.

21 Q. When we were looking at the
22 Recommended Partners, the one on the first page
23 of this spreadsheet, --

24 A. Yes.

25 Q. -- it's accurate that these are all

1 partners that the Navy is using at the same
2 time with respect to digital ad spend. Is that
3 accurate?

4 A. Maybe not exactly the way you described,
5 because it's broken down into months.

6 Q. Okay.

7 A. So, for instance, YouTube Masthead looks
8 to appear in September but not July and August.

9 Q. Okay. So the -- the companies or part
10 -- partners who have dollars allocated to them in
11 the month of September, those are all being used
12 at the same time. Is that accurate?

13 A. Sitting here today, to the best of my
14 knowledge, yes.

15 MS. GOODMAN: Okay. Shall we take a
16 break?

17 MR. MCBIRNEY: Sure.

18 THE VIDEOGRAPHER: The time is 4:37 p.m.
19 This ends Unit 4. We're off the record.

20 (Recess taken.)

21 THE VIDEOGRAPHER: The time is 4:54 p.m.
22 This begins Unit Number 5. We're on the record.

23 BY MS. GOODMAN:

24 Q. Mr. Owens, have you heard the term Open
25 Web Display advertising?

1 A. I have heard that term.

2 Q. What do you understand it to mean?

3 A. I'm not certain the exact meaning of
4 Open Web Display advertising.

5 Q. Aside from its exact meaning, what do
6 you generally understand that term to mean?

7 A. I generally understand it to mean
8 display advertising.

9 Q. And when you say "display advertising,"
10 what do you mean by that?

11 A. Placement of display ads.

12 Q. And does display advertising include
13 placement of display ads on the New York Times,
14 if they're purchased directly from the New York
15 Times?

16 MR. MCBIRNEY: Objection; foundation.

17 THE WITNESS: Yeah. I -- again, I don't
18 have a -- a firm enough understanding of that
19 term specifically to -- to answer in any more
20 detail than that.

21 BY MS. GOODMAN:

22 Q. Okay. Are you aware of any different
23 kinds of display ads or -- when you -- strike
24 that.

25 Can you give any examples of display

1 advertising?

2 A. Sure. Display advertising could be ads
3 placed on unique individual websites.

4 (Whereupon realtime feed froze due to
5 internet disconnection.)

6 THE REPORTER: I think it stopped. Can
7 we --

8 MS. GOODMAN: Yeah. Let's take a break.

9 THE VIDEOGRAPHER: The time is 4:57 p.m.
10 We're going off the record.

11 (Recess taken.)

12 THE VIDEOGRAPHER: The time is 5:03 p.m.
13 We're on the record.

14 BY MS. GOODMAN:

15 Q. Mr. Owens, does the term Display
16 Advertising, as you understand it, include
17 placing ads on websites through a direct deal
18 between the publisher and the advertiser?

19 MR. MCBIRNEY: Objection; foundation.

20 THE WITNESS: Display Advertising, as I
21 know it, is advertising by the use of display
22 ads, to my knowledge.

23 BY MS. GOODMAN:

24 Q. Okay. And, to your knowledge, just
25 again for the record, what is your understanding

1 of the term Open Web Display Advertising?

2 MR. MCBIRNEY: Objection; foundation.
3 Asked and answered.

4 THE WITNESS: As I testified, I'm
5 familiar with the term; however, I don't know the
6 definition of Open Web Display Advertising.

7 BY MS. GOODMAN:

8 Q. How are you familiar with the term Open
9 Web Display Advertising?

10 A. I've -- I've seen the term. But,
11 again, I -- I can't describe to you exactly the
12 definition of that. But, in general terms, I
13 understand it to be, as stated earlier, Display
14 Advertising.

15 BY MS. GOODMAN:

16 Q. Okay. Where have you seen the term Open
17 Web Display Advertising?

18 A. I can't recollect exactly where I saw
19 it.

20 Q. Generally speaking, can you describe
21 anywhere you've seen the term Open Web Display
22 Advertising, such as in emails or documents
23 with your ad agency, on -- on other websites
24 discussing the advertising industry, any place
25 that you recall seeing that term?

1 MR. MCBIRNEY: Object to form.

2 THE WITNESS: Sitting here today, I -- I
3 cannot remember where I've seen that term.

4 BY MS. GOODMAN:

5 Q. Do you recall ever seeing it in any
6 documents provided to you by VMLY&R?

7 A. As mentioned a moment ago, I cannot
8 recall where I've seen the term.

9 Q. And, thus, you don't know whether you've
10 seen it in any documents provided by VMLY&R,
11 correct?

12 MR. MCBIRNEY: Objection. Asked and
13 answered. Mischaracterizes the testimony.

14 THE WITNESS: Yeah. As I -- as I
15 testified, I don't recollect where I've seen the
16 term.

17 BY MS. GOODMAN:

18 Q. Okay. Have you had any discussions
19 with anybody about the term Open Web Display
20 Advertising and what it means?

21 A. Not to my knowledge.

22 Q. Prior to the filing of this lawsuit
23 in January of 2023, were you aware of any
24 anticompetitive conduct on the part of Google
25 affecting Navy's advertising?

1 MR. MCBIRNEY: You can answer that
2 question to the extent it does not disclose
3 communications with counsel.

4 THE WITNESS: To my knowledge, no.

5 BY MS. GOODMAN:

6 Q. And how about prior to this lawsuit,
7 did you ever have any concerns in your capacity
8 as the director of marketing for the Navy
9 Recruiting Command that Google was engaging in
10 anticompetitive conduct related to digital
11 advertising?

12 MR. MCBIRNEY: Object to foundation.

13 THE WITNESS: Prior to this, I had no
14 knowledge of nor reason to suspect that of
15 Google.

16 BY MS. GOODMAN:

17 Q. Prior to this lawsuit, did you have
18 ever -- did you ever have any concerns that
19 Google was engaging in any conduct that was
20 causing the Navy harm with respect to its digital
21 advertising?

22 A. Sitting here today, I can -- I can think
23 of no reason to believe that.

24 Q. You described Google, in fact, as a
25 partner of the Navy, right?

1 MR. MCBIRNEY: Objection. Assumes
2 facts.

3 THE WITNESS: Oftentimes, a lot of the
4 businesses that we use will be referred to as a
5 partner if we're doing business with them, so
6 I -- I may have referred to Google as a partner.
7 BY MS. GOODMAN:

8 Q. Has Google helped the Navy with respect
9 to recruiting more sailors to join?

10 MR. MCBIRNEY: Objection; foundation.

11 THE WITNESS: We have found lots of
12 value in many of the Google buys that we've done.
13 BY MS. GOODMAN:

14 Q. And the Google buys that you've done
15 that you've found value in, does that relate to
16 YouTube buys?

17 A. Yes.

18 Q. Okay. And how about with respect to
19 search?

20 A. Yes.

21 Q. Okay. Can you describe in any more
22 detail the value that you have found in many of
23 the Google buys that the Navy has done?

24 A. In particular, some of the YouTube
25 activations we've had have had extremely high

1 video completion rates.

2 Q. Any other --

3 THE VIDEOGRAPHER: Counsel, the Zoom's
4 offline.

5 MS. GOODMAN: Let's take a break.

6 MR. MCBIRNEY: We're going to be here a
7 while.

8 THE VIDEOGRAPHER: The time is 5:07 p.m.
9 We're going off the record.

10 (Recess taken.)

11 THE VIDEOGRAPHER: Time is 5:14 p.m.
12 We're on the record.

13 BY MS. GOODMAN:

14 Q. Mr. Owens, can you describe any other
15 instances that the Navy has found value in any of
16 the Google buys that it has done?

17 A. Paid search, as well. We've found value
18 there.

19 I don't have a list at the ready, but
20 -- but there's -- it's been on many occasions.

21 Q. Can you approximate the number of
22 occasions that you've found value in Google buys
23 for the Navy?

24 MR. MCBIRNEY: Objection; foundation.

25 THE WITNESS: Yeah. I -- I can't

1 provide an exact number or even a general number.

2 BY MS. GOODMAN:

3 Q. Just many?

4 A. Yes.

5 Q. Has anybody at VMLY&R ever told you that
6 Google was engaging in anticompetitive conduct
7 with respect to digital advertising?

8 A. No.

9 Q. Did anybody at Wavemaker ever tell you
10 that Google was engaging in anticompetitive
11 conduct with respect to digital advertising?

12 A. No.

13 Q. Has anyone ever told you that Google is
14 engaging in anticompetitive conduct with respect
15 to digital advertising.

16 MR. MCBIRNEY: I interpret that to mean
17 anyone other than the attorneys. You can answer
18 to the extent --

19 MS. GOODMAN: The question is the
20 question.

21 MR. MCBIRNEY: Okay. Well, then I would
22 instruct the witness not to answer to the extent
23 it requires divulging privileged communication.

24 THE WITNESS: I'm going to listen to my
25 counsel --

1 MS. GOODMAN: Okay.

2 THE WITNESS: -- and not provide the
3 privileged communication.

4 BY MS. GOODMAN:

5 Q. Okay. Yes or no question: Has
6 anyone ever told you that Google is engaging in
7 anticompetitive conduct with respect to digital
8 advertising.

9 MR. MCBIRNEY: If you want to ask him
10 whether anyone other than his attorneys told him
11 that, he can answer that question. But I'm not
12 -- I'm instructing him not to answer that
13 question.

14 BY MS. GOODMAN:

15 Q. I'm not asking for the identity of who.
16 It's a -- it's a yes or no question as to whether
17 any human on this earth --

18 MR. MCBIRNEY: I understand.

19 BY MS. GOODMAN:

20 Q. -- has ever told you, Mr. Owens, that
21 Google has engaged in anticompetitive conduct
22 with respect to digital advertising?

23 MR. MCBIRNEY: And I'm going to instruct
24 the witness not to answer that question. If you
25 want to limit your question to exclude counsel --

1 MS. GOODMAN: Make your instruction.

2 Don't tell me how to ask my questions, please.

3 MR. MCBIRNEY: I'm instructing the
4 witness not to answer your improper question.

5 BY MS. GOODMAN:

6 Q. Are you following that instruction, sir?

7 A. I'm following the instruct of my
8 counsel.

9 Q. Okay. Other than any lawyer, has
10 anybody ever told you, Mr. Owens, that Google has
11 engaged in anticompetitive conduct with respect
12 to digital advertising?

13 A. No.

14 Q. To the extent you have any knowledge of
15 any anticompetitive conduct on the part of Google
16 with respect to digital advertising, does it come
17 only through conversations with lawyers?

18 MR. MCBIRNEY: Objection. I'm going to
19 instruct the witness not to answer that question.

20 THE WITNESS: I'm going to listen to my
21 counsel.

22 BY MS. GOODMAN:

23 Q. Okay. Sitting here today, do you have
24 any concerns that the Navy -- strike that.

25 Sitting here today, do you have any

concerns that Google has harmed the Navy?

MR. MCBIRNEY: Objection; vague.

THE WITNESS: Can you be more specific with the question?

BY MS. GOODMAN:

Q. Sitting here today, do you have any concerns that Google has engaged in any conduct that hurt -- harms the Navy?

MR. MCBIRNEY: Objection; vague.

THE WITNESS: Aside from the reason why I'm here today, I have no reason to believe that Google has harmed the Navy in any other way.

BY MS. GOODMAN:

Q. Okay. And when you say "the reason why I'm here today," what do you mean?

A. In relation to this deposition.

Q. Okay. Can you tell me any reasons -- strike that.

Can you tell me any information about how, if at all, Google has harmed the Navy?

MR. MCBIRNEY: Objection to the form and foundation.

THE WITNESS: I guess am I able to answer that question without divulging any privileged communication?

MR. MCBIRNEY: Well, if you are able to answer that question without divulging privileged information, you can answer the question. If you are not able to answer the question without divulging privileged information, then I'd instruct you not to answer.

THE WITNESS: Can you ask the question again?

BY MS. GOODMAN:

Q. Can you tell me any information about how, if at all, Google has harmed the Navy?

MR. MCBIRNEY: And, again, same objections to form and foundation.

THE WITNESS: I cannot answer that question without divulging a privileged communication.

BY MS. GOODMAN:

Q. Okay. To your knowledge, did the Navy purchase any display advertising directly from Google?

MR. MCBIRNEY: Objection. Calls for a legal conclusion.

MS. GOODMAN: Read the RFA briefing.

BY MS. GOODMAN:

Q. You may answer.

MR. MCBIRNEY: And lack of foundation.

THE WITNESS: So the Navy has purchased display advertising via our contract with VMLY&R, and we've asked them to purchase that on our behalf.

BY MS. GOODMAN:

Q. Okay. But my question is did the Navy -- to your knowledge, as director of marketing for the Navy Recruiting Command and as the Contracting Officer Representative, did the Navy purchase any display advertising directly -- not through VMLY&R or any other intermediary -- did the Navy purchase any display advertising directly from Google?

MR. MCBIRNEY: Objection. Asked and answered. Calls for a legal conclusion, and lack of foundation.

THE WITNESS: We have purchased our marketing and advertising and media from Google, as well as other companies, through our ad agency contract.

BY MS. GOODMAN:

Q. Okay. You're -- sir, you're not answering my question, which is whether you've purchased any display advertising -- meaning when

I say you, the Navy, to your knowledge, have any purchases been made directly, meaning between you -- the Navy -- and Google, as the two parties to the transaction, has Google -- has the Navy made any purchases of display advertising directly from Google?

MR. MCBIRNEY: Objection. Asked and answered. Calls for a legal conclusion. Lack of foundation.

THE WITNESS: Yeah. I'm -- I'm not a lawyer, so I'm not certain of the legal definition of "purchase directly." But I can tell you that, through our contract with VMLY&R, we have asked them to purchase media on our behalf from Google as well as other businesses.

BY MS. GOODMAN:

Q. Okay. What do you mean -- what do you understand the term "purchase" to mean just in ordinary use?

A. I would define "purchase" as an exchange of resources for a good or service.

Q. Okay. What do you understand the term, in ordinary use, "directly" to mean?

MR. MCBIRNEY: Objection. Calls for a legal conclusion in this context.

1 BY MS. GOODMAN:

2 Q. I'm asking for the plain language,
3 ordinary meaning, that you, Mr. Owens, understand
4 the term "directly" to mean?

5 MR. MCBIRNEY: Same objections, and
6 vague.

7 THE WITNESS: Can I answer the question?

8 MR. MCBIRNEY: You can answer if you
9 can, yeah.

10 THE WITNESS: I would think -- I would
11 understand directly to mean either -- I mean,
12 between two parties.

13 BY MS. GOODMAN:

14 Q. Okay. So with your under -- with the
15 definitions that you've provided, based on your
16 ordinary understanding of these words of the term
17 "purchase" and "directly," I'm going to ask you a
18 series of questions, and I would ask you to
19 please give me a yes or no answer.

20 Did the Navy purchase any display
21 advertising directly from Google?

22 MR. MCBIRNEY: Objection. Asked and
23 answered. Calls for a legal conclusion. Lack of
24 foundation.

25 THE WITNESS: The Navy purchased

1 advertising from Google via our contract with
2 VMLY&R.

3 BY MS. GOODMAN:

4 Q. So, no, the Navy did not purchase
5 anything directly from Google, correct?

6 MR. MCBIRNEY: Objection. Asked
7 and answered. Calls for a legal conclusion.
8 Mischaracterizes the witness's testimony.

9 THE WITNESS: Yeah. That was not
10 my testimony. My testimony is that the Navy
11 purchased advertising from Google via our
12 contract with VMLY&R.

13 BY MS. GOODMAN:

14 Q. Using your term -- your understanding
15 of the term "directly"; that is, between two
16 parties, I'll ask you a series of questions.

17 Was there any transaction between the
18 Navy and Google for the purchase of display
19 advertising, --

20 MR. MCBIRNEY: Objection. Asked --

21 BY MS. GOODMAN:

22 Q. -- that you are aware of.

23 MR. MCBIRNEY: Objection. Asked and
24 answered. Lack of foundation. Calls for a legal
25 conclusion.

1 THE WITNESS: Our purchase was from
2 Google via our contract with VMLY&R.

3 BY MS. GOODMAN:

4 Q. You have no other answer that you can
5 provide to my questions?

6 MR. MCBIRNEY: Objection; argumentative.

7 THE WITNESS: Well, without knowing what
8 your other questions are, I can't --

9 BY MS. GOODMAN:

10 Q. I'm asking whether you can answer my
11 question in a yes or no manner, and, if you
12 cannot, why you are unable to answer it in a yes
13 or no manner based on the definitions in your
14 understanding of the term "purchase" and of the
15 term "directly."

16 MR. MCBIRNEY: Objection.
17 Argumentative. Harassment.

18 THE WITNESS: It's my understanding that
19 I should have the ability to provide complete
20 answers, --

21 BY MS. GOODMAN:

22 Q. Mm-hmm.

23 A. -- and I don't want my answer to be
24 mischaracterized, so that's why I'm -- I'm being
25 complete.

1 In order for me to certify invoices
2 for payment, I have to see what went where, so
3 that includes what went to Google, what went to
4 Facebook, et cetera. So our purchases are from
5 those entities, but it's via our contract with
6 VMLY&R.

7 Q. And you don't send dollars directly to
8 Google, correct?

9 MR. MCBIRNEY: Objection. Calls for
10 legal conclusion. Asked and answered. Lack of
11 foundation.

12 BY MS. GOODMAN:

13 Q. Do you ever write a check or issue a
14 payment via electronic bank transfer from a Navy
15 account to Google?

16 MR. MCBIRNEY: Objection; vague.
17 Foundation.

18 THE WITNESS: We pay for our purchases
19 from various vendors through our contract with
20 the agency.

21 BY MS. GOODMAN:

22 Q. And so when you need to pay Google, you
23 don't pay Google directly. Rather, you pay
24 VMLY&R, correct?

25 MR. MCBIRNEY: Objection. Asked and

Jimmy McBirney, Esq.
jimmy.mcbirney@usdoj.gov

August 17, 2023

RE: United States, Et Al v. Google, LLC
8/15/2023, Allen Owens (#6037511)

The above-referenced transcript is available for review.

Within the applicable timeframe, the witness should read the testimony to verify its accuracy. If there are any changes, the witness should note those with the reason, on the attached Errata Sheet.

The witness should sign the Acknowledgment of Deponent and Errata and return to the deposing attorney. Copies should be sent to all counsel, and to Veritext at erratas-cs@veritext.com

Return completed errata within 30 days from receipt of testimony.

If the witness fails to do so within the time allotted, the transcript may be used as if signed.

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ACKNOWLEDGEMENT OF DEPONENT

I, Allen Owens, do hereby declare that I have read the foregoing transcript, I have made any corrections, additions, or changes I deemed necessary as noted above to be appended hereto, and that the same is a true, correct and complete transcript of the testimony given by me.

Allen Owens Date

*If notary is required

SUBSCRIBED AND SWORN TO BEFORE ME THIS

_____ DAY OF _____, 20__.

NOTARY PUBLIC

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

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